



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 28, 2020

By ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Esteban Miranda*, 20 CR 364 (KPF)

Dear Judge Failla,

The Government respectfully submits this letter on behalf of the parties to request an adjournment of the conference previously scheduled for January 5, 2021 and an accompanying exclusion of time under the Speedy Trial Act. The parties understand that the Court is no longer available on January 5, 2021 but that both the Court and the parties are available on January 22, 2021, and accordingly the parties request an adjournment to that date. Further, with the consent of the defendant, the Government respectfully requests an exclusion of time under the Speedy Trial Act from January 5, 2021 through January 22, 2021 or the date of any granted adjournment of the conference pursuant to 18 U.S.C. § 3161(h)(7) on the basis that the interests of the defendant and the public in a speedy trial are outweighed here by the ends of justice served by allowing the parties to come before the Court at a time when the parties and the Court are all available, through which time the defendant may continue to prepare and discuss with the Government certain mitigation materials previously raised with the Court amidst the circumstances of the ongoing national emergency declared in response to the coronavirus pandemic.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: Thomas John Wright
Thomas John Wright
Assistant United States Attorney
(212) 637-2295

cc: Tamara Giwa (Counsel for Defendant Esteban Miranda) (by ECF)

Application GRANTED. The conference scheduled for January 5, 2021, is hereby ADJOURNED to January 22, 2021, at 9:00 a.m.

It is further ORDERED that time is excluded under the Speedy Trial Act between January 5, 2021, and January 22, 2021. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will allow the parties to come before the Court at a time when the parties and the Court are all available, and will permit defense counsel to continue to prepare and discuss certain mitigation materials with the Government.

Dated: December 28, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE